REMARKS

Applicant respectfully requests reconsideration and allowance of claims 1-5, 7-20, and 22 that are pending, in the above-identified patent application. Claims 1, 2, 5, 9, 11, 12, 13, 14, 16, 17, 18, 19, 20, 22 are currently amended in this response while claims 6 and 20 are canceled. Support for the amendments can be found in the specification as filed at page 12 line 21 –page 13 line 6. In view of the following discussion, Applicant submits that all pending claims are in condition for allowance. No new matter is introduced by the way of these amendments.

I.   Objection to claims 9, 11-14, 16-18 and 21:

At numbered part 1 of the subject Office Action, claim 21 is objected to for depending on a rejected claim 20. Withdrawal of this objection is requested in view of cancelation of the claim and its incorporation into claim 20 as per the Examiner's suggestion.

Claims 9, 11-4, 16-18 are objected to at numbered part 2 of the subject Office Action for minor informalities. Withdrawal of this objection is requested in view of the aforementioned amendments to these claims addressing the informality.

II.   Rejection of Claim 20 under 35 U.S.C. §101:

At numbered part 3 of the subject Office Action, the Examiner rejected claim 20 under 35 U.S.C. §101 as being directed towards non-statutory subject matter. This rejection should be withdrawn in view of the aforementioned amendment to this claim reciting that the computer program is stored in a computer readable medium made in line with the Examiner suggestion at numbered part 1.

III.   Rejection of Claims 1, 2, 6 and 19-22 under 35 U.S.C. §102(b):

At numbered part 5 of the subject Office Action, the Examiner has rejected claims 1, 2, 6 and 19-22 under 35 U.S.C. §102(b) as being unpatentable over Ohba (US 20020097247). Applicant

respectfully requests that this rejection be withdrawn as the cited art fails to disclose all aspects as recited in independent claims 1 and 19-22.

In particular, independent claim 1 recites: means for generating a motion image map, the motion image map being obtained by layering images of difference that represent differences in images between frames of said mirrored video image feature, said image combining means being adapted to determine an area where said object image is to be combined, depending on a range and frequency of the motion of the image of said operator as determined on from the motion image map. Independent claim 22 recites similar features.

Independent claim 19 recites: generating a motion image map by layering images of difference that represent difference in images between frames of said mirrored video image feature, determining an area where said object image is to be generated based on a range and frequency of motion of the image of said operator as determined from the motion image map. Independent claim 21 recites similar features.

Ohba does not disclose such claim features.

In particular, Obha relates to an image processor that uses images an input interface to receive commands, etc. The image processor includes, among other components, an image generating means for generating an object image expressing a predetermined object according to the movement of the target included in the mirrored moving image captured by an image capturing means, such as a video camera. Controlling means, also included in the image processor, combines the object image with the captured mirrored moving image and the resulting combined image is displayed at a display device. (*See,* Ohba Abstract). Accordingly, Ohba discloses a method of generating the combined image, wherein an initially disparate cursor image, such as a face with the eyes highlighted, allows the eyes to be oriented towards a target image such as the finger of an operator (*See,* Ohba Fig. 13a). Furthermore, the cursor image moves following the movement of the target. In other words, when the cursor image is distant from the target, the cursor image moves towards the target and catches the target. Upon catching the target, the cursor image follows the movement of the target. (*See,* Ohba Figs. 13a-c and related description paragraph [0119]). In view of the aforementioned, it is respectfully submitted that the Examiner's contention on page 4 of the subject Office Action, that Ohba generates a combined image in such a manner that the object image is generated in a area accessible to a hand of the operator, is erroneous. Rather, Ohba discloses

generating two disparate images, following movement of one image by the other image and then combining both the images into a single image. For example, the cursor image is initially displayed and gradually moved until it catches up with the target, such as, an operator's hand.

In contrast, the claimed subject matter recites determining an area within a combined image where the object image is to be generated based on a range and frequency of motion of the image of the operator as determined from the motion image map, and producing a combined image that includes the image of the operator and the object image (*See,* for example, steps S102-S104 of Fig. 4 of Applicant's drawings). Thus, the claimed subject matter facilitates initially determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach. Therefore, this mitigates the need for initially displaying two images, and then combining the two images into a single image as disclosed by Ohba.

In view of at least the foregoing, it can be concluded that Ohba does not disclose an identical invention as recited in independent claims 1, 19, 20 and 22. Hence, it is requested that this rejection be withdrawn with respect to these claims and all claims depending there from.

IV.   Rejection of Claim 3 under 35 U.S.C. §103(a):

At page 7 of the Office Action, the Examiner has rejected claim 3 under 35 U.S.C. §103(a) as being obvious over Ohba. Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. As detailed *supra*, Ohba does not disclose all aspects recited in independent claim 1 from which the subject claim depends. Hence, withdrawal of this rejection with respect to claim 3 is respectfully requested.

V.   Rejection of Claim 4 under 35 U.S.C. §103(a):

At page 8 of the Office Action, the Examiner has rejected claim 4 under 35 U.S.C. §103(a) as being obvious over Ohba in view of Salter (U.S. 20030151628). Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. Ohba in view of Salter, alone or in combination, fail to teach or suggest all aspects recited in independent claim 1,

from which the subject claim depends.

As discussed *supra*, Ohba does not disclose all features of amended independent claim 1. As the teachings of Salter that the Examiner alleges is combinable with Ohba do not cure such deficiencies, Applicant respectfully requests that the obviousness rejection of the subject claims be withdrawn. More particularly, Salter relates to a computer implements a graphical user interface for teaching users to play the musical instrument. However, alone or in combination with Ohba, Salter fails to teach or suggest determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach as recited in independent claim 1. In view of at least the foregoing, it is requested that this rejection should be withdrawn with respect to claim 4 which depends therefrom.

VI.   Rejection of Claims 5 Under 35 U.S.C. §103(a):

At page 8 of the Office Action, the Examiner has rejected claim 5 under 35 U.S.C. §103(a) as being obvious over Ohba in view of Darrel (U.S. 6,445,810). Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. Ohba in view of Darrel, alone or in combination, fail to teach or suggest all aspects recited in independent claim 1, from which the subject claim depends.

As discussed *supra*, Ohba does not disclose all features of amended independent claim 1. As the teachings of Darrel that the Examiner alleges is combinable with Ohba do not cure such deficiencies, Applicant respectfully request that the obviousness rejection of the subject claims be withdrawn. More particularly, Darrel relates to a system wherein computer vision and computer graphics are combined to robustly track a target (e.g., a user) and perform a function based upon the image and/or the identity attributed to the target's face. However, alone or in combination with Ohba, Darrel fails to teach or suggest determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach as recited in independent claim 1. In view of at least the foregoing, it is requested that this rejection should be

withdrawn with respect to claim 5 which depends therefrom.

VII.   Rejection of Claim 7 Under 35 U.S.C. §103(a):

At page 9 of the Office Action, the Examiner has rejected claim 7 under 35 U.S.C. §103(a) as being obvious over Ohba in view of Dooley (U.S. 20040215689). Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. Ohba in view of Dooley, alone or in combination, fail to teach or suggest all aspects recited in independent claim 1, from which the subject claim depends.

As discussed *supra*, Ohba does not disclose all features of amended independent claim 1. As the teachings of Dooley that the Examiner alleges is combinable with Ohba do not cure such deficiencies, Applicant respectfully request that the obviousness rejection of the subject claims be withdrawn. More particularly, Dooley relates to recognizing gestures from printed media, retrieving information related to the gesture and speaking aloud at least a portion of the retrieved information. However, alone or in combination with Ohba, Dooley fails to teach or suggest determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach as recited in independent claim 1. In view of at least the foregoing, it is requested that this rejection should be withdrawn with respect to claim 7 which depends therefrom.

VIII.   Rejection of Claims 8 and 15 Under 35 U.S.C. §103(a):

At page 10 of the Office Action, the Examiner has rejected claims 8 and 15 under 35 U.S.C. §103(a) as being obvious over Ohba in view of Imagawa (U.S. 6,353,764). Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. Ohba in view of Imagawa, alone or in combination, fail to teach or suggest all aspects recited in independent claim 1, from which the subject claims depend.

As discussed *supra*, Ohba does not disclose all features of amended independent claim 1. As the teachings of Imagawa that the Examiner alleges is combinable with Ohba do not cure such deficiencies, Applicant respectfully request that the obviousness rejection of the subject claims be

withdrawn. More particularly, Imagawa relates to monitoring a person's attributes and based on the results, in predetermined content of the control, to control equipment to be controlled, further, to monitor said person's peripheral environment and also by using these results to execute said control.

However, alone or in combination with Ohba, Imagawa fails to teach or suggest determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach as recited in independent claim 1. In view of at least the foregoing, it is requested that this rejection should be withdrawn with respect to claims 8, 15 which depend therefrom.

IX.   Rejection of Claims 9-11 and 16-18 Under 35 U.S.C. §103(a):

At pages 13-17 of the Office Action, the Examiner has rejected claims 9-11 and 16-18 under 35 U.S.C. §103(a) as being obvious over Ohba in view of Imagawa and further in view of Cortjens (U.S. 5,528,289). Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. Ohba in view of Imagawa and Cortjens, alone or in combination, fail to teach or suggest all aspects recited in independent claim 1, from which the subject claims depend.

As discussed *supra*, Ohba in view of Imagawa do not disclose all features of amended independent claim 1. As the teachings of Cortjens that the Examiner alleges is combinable with Ohba and Imagawa do not cure such deficiencies, Applicant respectfully request that the obviousness rejection of the subject claims be withdrawn. More particularly, Cortjens relates to a video conferencing system wherein a user can specify an area of interest on a display screen and cause the camera capturing the video to pan and/or tilt in order to center the desired area of instreast on the screen and zooms in order to fill the display screen with the area of interest. However, alone or in combination with Ohba and Imagawa, Cortjens fails to teach or suggest determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach as recited in independent claim 1. In view of at least the foregoing, it is requested that this rejection should be withdrawn with respect to claims 9-11 and 16-18 which depend

therefrom.

X.   <u>Rejection of Claims 12-14 Under 35 U.S.C. §103(a)</u>:

At pages 17-20 of the Office Action, the Examiner has rejected claims 12-14 under 35 U.S.C. §103(a) as being obvious over Ohba in view of Imagawa and further in view of Darrell and Cortjens. Applicant traverses the rejection and submits that this rejection should be withdrawn for at least the following reasons. As discussed *supra*, Ohba in view of Imagawa , Darrell and Cortjens, alone or in combination, fail to teach or suggest all aspects recited in independent claim 1, from which the subject claims depend. In particular, the combination of cited art fails to teach or suggest determining an area for presenting the object image and then generating the object image within an area of the combined image in such a manner that the object image is displayed in an area that an image of a hand of the operator can reach as recited in independent claim 1. In view of at least the foregoing, it is requested that this rejection should be withdrawn with respect to claims 12-14 which depend therefrom.

Conclusion:

In view of the foregoing, Applicant submits that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited. In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

Dated: June 22, 2010   Respectfully submitted,

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